

Remarks

The Examiner objected to the abstract, the specification and the IDS and rejected all of the pending claims. Applicant addresses each of the objections and rejections below.

OBJECTIONS

ABSTRACT (paragraph 1 of Office Action) - The Examiner objected to the abstract because the length was too long. The applicant has amended the abstract to within the word limit. The objection should accordingly be withdrawn.

SPECIFICATION (paragraph 2 of the Office Action) - The Examiner objected to the incorporation by reference of essential material in the application. The Applicant has amended the specification to include material that was incorporated by reference and will submit a substitute specification and required affidavit with the formal response to this Office Action. In addition the Examiner has requested copies of all the applications incorporated by reference. These applications have been included on an IDS that will be submitted with the formal response to this Office Action. The objection should according be withdrawn.

PRIORITY (paragraph 3 of the Office Action) – Since the application is a Continuation in Part (CIP), the Examiner requested that the applicants identify the new matter. The Applicant proposes to discuss with the Examiner during the Interview scheduled for June 20, 2003.

IDS (paragraph 4 of the Office Action) - The Examiner objected to the number of prior art references submitted. The applicant proposes to discuss the prior art with the Examiner during the Interview scheduled for June 20, 2003.

**REJECTIONS**

CLAIMS - Claims 30-75 were pending in the application. All of the pending claims were rejected to for various reasons that are described below. Claims 30-75 have been canceled without prejudice or disclaimer to the subject matter recited therein. Claims 76-96 have been added and are the currently pending claims. Claims 76, 88, 91, 95 and 96 are the independent claims.

The Examiner rejected claims 30-75 under 35 USC §101 because the claims do not recite a useful, concrete and tangible result (paragraphs 5 and 6 of the Office Action). The applicant respectfully submits that the currently pending claims (76-96) recite a useful, concrete and tangible result and that this rejection is not applicable to these claims. Accordingly, the rejection should be withdrawn.

The Examiner rejected claims 30-75 under 35 USC §112, first paragraph as containing subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention (paragraphs 7 and 8 of the Office Action). The applicant respectfully submits that the currently pending claims (76-96) contain subject matter enabled in the specification and that this rejection is not applicable to these claims. Accordingly, the rejection should be withdrawn.

The Examiner rejected claims 30-75 under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention (paragraphs 9 and 10 of the Office Action). The applicant respectfully submits that the currently pending claims (76-96) are definite and that this rejection is not applicable to these claims. Accordingly, the rejection should be withdrawn.

The Examiner rejected claims 73-75 under 35 USC §112, sixth paragraph, as not setting a limit on how broadly the Office may construe means-plus-function language under the rubric of

reasonable interpretation (paragraphs 11 and 12 of the Office Action). The applicant respectfully submits that this rejection is not applicable to the currently pending claims (76-96).

The Examiner rejected claims 30-75 under 35 USC §102(b) as being clearly anticipated by *Hoarty et al.* (US 5,319,455), *Graves et al.* (US 5,410,344), *Wilkins* (US 5,446,919), *Saxe* (5,636,346), *Heckerman et al.* (US 5,704,017) or *Dedrick* (US 5,724,521) and are rejected under 35 USC 102(e) as being clearly anticipated by *Hite et al.* (US 5,774,170), *Merriman et al.* (US 5,948,061), *Herz et al.* (US 6,020,833 or US 6,088,722), or *Lazarus et al.* (US 6,134,532) - (paragraphs 13 and 14 of the Office Action). The applicant respectfully submits that the currently pending claims (76-96) are patentable over the cited references. Accordingly, the rejection should be withdrawn.

The Examiner rejected claims 30-75 under 35 USC §102(b) based upon a public use or sale of the invention (paragraphs 15 and 16 of the Office Action). The Examiner refers to the Applicants website for support. The Applicant has reviewed their website and found no support for the Examiners rejection. Accordingly, the rejection should be withdrawn.

The Examiner rejected claims 30-75 under 35 USC §103 as being unpatentable over an obvious variation of examiner's personal experience of a subscriber profiling information integration including privacy protected targeted advertising using secure correlation offered by Juno Online Services (paragraphs 17-20 of the Office Action). The applicant respectfully submits that the currently pending claims (76-96) are patentable over the cited references. Accordingly, the rejection should be withdrawn.

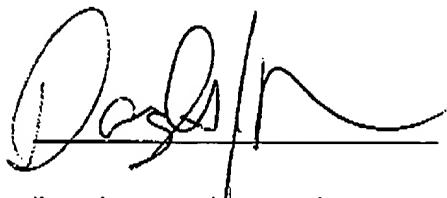
The Examiner rejected claims 30-75 under the judicially created doctrine of obviousness-type double patenting (paragraphs 21-23 of the Office Action). The applicant respectfully submits that this rejection is not applicable to the currently pending claims (76-96).

**Conclusion**

For the foregoing reasons, Applicant respectfully submits that claims 76-96 are in condition for allowance. Accordingly, early allowance of claims 76-96 is earnestly solicited.

Should the Examiner have any questions or concerns prior to the Interview, the Examiner should contact the undersigned to discuss.

Respectfully submitted,



Date: 6/13/03

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